

CITY OF MILFORD
REGULAR MEETING
NOVEMBER 3, 2015
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Building in said City on the 3rd day of November 2015 at 7:30 pm. Present were: Mayor Dean A. Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Attorney Krista Carlson; Maintenance Supt. Gary TeSelle; Chief of Police Forrest Siebken and City Clerk Jeanne Hoggins. Also present: Dane Simonsen with JEO and Emily Hemphill with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of the meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Dean Bruha called the meeting to order at 7:32 pm. and publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Library Meeting Room.

MINUTES: A motion was made by Heckman and seconded by Fortune to approve the minutes of the October 6, 2015 meeting. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Heckman and seconded by Kral that the following accounts payable bills in the amount of \$104,330.09 payroll in the amount of \$27,238.54 totaling \$131,568.63 approved by the Auditing Committee be approved for payment. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

SALARIES:

59943	Mark Frey	590.64
59944	Forrest Siebken	1424.30
59945	Kendall Hoggins	1337.47
59946	Mavis Ferris	73.88
59947	Jeanne Hoggins	1299.88
59948	Gary TeSelle	934.53
59949	Robert Hull	1101.34

59950	George Matzen	771.94
59951	Jenna Filbert	377.99
59952	Benjamin Rediger	1008.19
59953	Erica Pallas	851.48
59954	Scott McNeil	1073.85
59955	Sarah Long	125.60
59956	Craig Carritt	29.56
59957	Jessica Wang	125.60
59958	Jeffery Troyer	945.76
59959	Marilu Fichtner	568.22
59960	Brenda Kalnins	356.59
59969	Mark Frey	460.58
59970	Forrest Siebken	1424.30
59971	Kendall Hoggins	1303.96
59972	Mavis Ferris	59.10
59973	Jeanne Hoggins	1299.88
59974	Gary TeSelle	934.53
59975	Robert Hull	898.26
59976	Bryce Johnson	184.70
59977	George Matzen	771.94
59978	Jenna Filbert	410.08
59979	Benjamin Rediger	995.62
59980	Craig Corder	184.70
59981	Erica Pallas	836.08
59982	Scott McNeil	1679.80
59983	Sarah Long	86.81
59984	Craig Carritt	18.47
59985	Jessica Wang	162.54
59986	Jeffery Troyer	969.45
59987	Marilu Fichtner	559.11
59988	Brenda Kalnins	401.52
59992	Rick Fortune	138.52
59993	Dean Bruha	184.70
59994	Jeff Baker	138.52
59995	Dan Kral	138.52
GENERAL FUND:		
59861	Amanda Felker- S/W Deposit Refund	75.00
59911	Sean Nutzman- Overpayment on Final Acct.	40.84
59912	U.S. Postmaster- Utility Billing Postage	210.63
59913	Fire Fox Rescue Equipment- Ambulance Chassis	52340.00
59914	Ackerman Rock & Gravel- Rock/Gravel 1 load each	2001.19

59915	Allied Insurance- Bond Renewal- Jeanne	175.00
59916	Aramark- Pants/Rags	1197.33
59917	Canon Financial Services- Contract Charge	254.00
59918	Canon Solutions America- Maint. Base Copies	116.79
59919	Hawkins Inc.- Water Chemicals	2499.84
59920	Jeremy Dinges- EMS Conference	225.00
59921	John Deere Financial- Saw Parts	197.85
59922	Kendall Hoggins- Mileage/Meals to Beatrice	116.97
59923	Line-X of Lincoln- Truck Bed Liner	500.00
59924	DHHS-Dept of Health- Grade III water class- Kendall	298.00
59925	Nebraska U.C. Fund- Unemployment L. Aschoff	940.00
59926	One Call Concepts- 17-One Calls	16.25
59927	Pac-N-Save Milford- Paper Towels, Food, Burger	79.84
59928	Pizza Kitchen- Birthday Meal	163.20
59929	Rediger Automotive- Oil Change Units 2 & 3	64.31
59930	Servi-Tech Inc.- Lagoon Test	96.70
59931	Seward Co. Eco. Development- Funding Agreement	10000.00
59932	Shell Fleet Plus- Fuel	172.07
59933	Shell Fleet Plus- Gas- Shuttle Car	32.70
59934	State Treasurer of NE- Animal Lic. 1/1/15-9/30/15	138.71
59935	Sunrise Country Manor- September Meals	425.25
59936	Talley Communications- Portable Antennas/Shipping	58.25
59937	Tvrdy's Lock & Key- Repair Lock @ Sr. Center	45.00
59938	Verizon Wireless- Cell Phone	95.54
59939	Verizon Wireless- Jet Packs	62.19
59940	Verizon Wireless- Building Inspector Cell/Dept. Cell	134.86
59941	Windstream- Service for October	308.02
59942	Wolfe, Snowden, Hurd, Luers & Ahl- Legal Services	1858.75
59961	Ameritas- Retirement Pension	1580.97
59962	Kansas Payment Center- Child Support	177.23
59963	Union Bank- HSA	828.00
59964	AFLAC- Dis, Cancer, Supple, Accident Insurance	380.83
59965	Dearborn National Life Ins.- Life Insurance	116.96
59966	Federated Insurance- Health Insurance- 11/2015	6848.03
59967	Shell Fleet Plus- Police Fuel Expense	484.67
59968	Verizon Wireless- Well Control Monitor	40.01
59990	Kansas Payment Center	177.23
59991	Union Bank- HSA	828.00
60003	Aloha Roth- Birthday Cake 10/20/15	40.00
60004	American Legal Publishing Corp.- Code Program	650.00
60005	Baker & Taylor- Books	1214.88

60006	Card Service Center- Stamps, Hotel/Meals, Postage	915.89
60007	Card Service Center- 2 Ipads for Ambulance	1009.95
60008	CASH-WA Distributing- Supplies, Food, Fundraiser	162.96
60009	Petty Cash City- Fuel, Plates for New Truck, Postage	83.00
60010	Culligan Water- B/W, Cooler Rent, Softener Rent	50.30
60011	George Matzen- Scanner & Coat Hooks	120.40
60012	Gerhold Concrete- Street Repair- Water Leak	140.00
60013	Goldsmith Tree Service- Grind 9 Stumps	760.00
60014	Hawkins Inc.- Treatment Tube	204.48
60015	Hydraulic Equipment- Dump 2004 Repairs	135.00
60016	Land Survey Tech- Survey & Stake Easement Line	450.00
60017	Lincoln Journal Star- Paper Subscription	243.50
60018	Lynn Peavey Company- 6 Bac Blood Kits	32.10
60019	Menards-Lincoln-Shop Repairs	155.97
60020	Mid America Recycling- Recycling Fees- September	65.75
60021	Milford Plumbing Inc- Curb Stop Repair	11.81
60022	Milford Schools Dist. #5- Parking Fines	65.00
60023	Municipal Supply Inc.- Line Repair Supplies	884.50
60024	National Casualty Co.- Premium Dues	737.08
60025	Nebraska Library Commission- Over Drive	500.00
60026	Nebraska Notary Assoc- Notary Fees McNeil	154.00
60027	Nebraska Public Health- 9 Routine Water Tests	126.00
60028	NPPD- Service for October 2015	1740.77
60029	Office Depot- Adhesive, Batteries, Toner, Duster	254.48
60030	Racom Corp.- Portable Repair 41/43, KN	441.25
60031	Storey Kenworkth- UB Forms & Freight	674.41
60032	The Mellow D's- Entertainment Birthday Dinner	100.00
60034	Union Bank- Gary TeSelle Medicare Part D- RX	1938.50
60035	Vermeer High Plains- Parks & Chipper	44.43
60036	Walmart- Kleenes, Movie, Labels, Food, Supplies	439.97
60037	Windstream- Phone Service for October 2015	205.13
60038	Zito Media- H.D. T.V.	8.09

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received: Milford Housing Authority minutes for October 8, 2015; Milford Aging Services Commission minutes for October 27, 2015; Community Betterment Committee minutes for October 7, 2015 and October 23, 2015; Website overview for October 2015; Milford Police Dept. activity report for October 2015; Building Inspector report for October 2015; Library Report for October and Library Board minutes from September 15, 2015 meeting. Heckman reported that the Pool has been winterized. Kral reported 14 Rescue calls in October all in Milford, No Fire calls and 2 False

Alarms. TeSelle – Jeff Troyer has submitted a letter of resignation as of November 16th. He has taken a position with the Milford High School. The Hi-Ranger is in the repair shop. Guys have been working on curb stop repairs. Chief Siebken has chosen his #1 candidate for the open Officer position. He will need to successfully complete several requirements before being employed. He will need to get his certification. Looking into a new Police vehicle and leaning towards the Explorer. \$15,000.00 from the State Drug Board will be applied toward the purchase. Hoggins reported: samples of Performance Appraisals will be distributed for review and approval at the December meeting, working on a Master Fee Schedule, Audit was performed Oct. 20 -22, New Holiday Lighting will go up as soon as the Hi-Ranger is repaired and Mayor Bruha will be presenting the Veteran's Day Proclamation at the High School Ceremony. Baker reported that a group thru the Seward Chamber of Commerce has hired an intern director to consolidate several groups thru out the County. They are trying to create a vision statement and once the marketing plan is in place it will be presented to the Council.

COMMUNICATIONS: *Sales tax received for the month of August 2015 in the amount of \$14,861.18. *Received a letter of resignation from Jeff Troyer.

NEW BUSINESS:

Discuss/Action – LBG Water Testing Results: Dane Simonsen reported the trend of increasing nitrates is continuing. It's concerning but they are increasing slowly. We will keep an eye on this. Well #6 had a controller that was not working so this may have had an effect on the test results. LBG results: They evaluated the site that was selected at the old ground water storage tank. If we drill a well there we will probably get about 400 gallons per minute, which isn't bad. They also looked at the new well and pumping #3 at the same time. The intent is to combine the new well and #3 and blend those with #1 & #2. This would allow the ability to pump all 4 wells at the same time. With this set up we would have plenty capacity to handle the driest hottest days in the summer. LBG noted that we can't run both of those wells at the same time, #3 and the new one, without some controls to make sure we don't draw down the water to far as they will influence each other. All in all it's good news as far as getting the water we need if we drill in that location. LBG based all their information off of the tests that were provided by Gary. Another well that was looked at was the northern golf course well. Dane had them look at this well to see if it would be affected by pumping #3 and the new well. The outcome was minimal, less than 10'. The City will need to get a stat water level right now from the golf course well. LBG will bind the information and send it to the City for our records. The next step is

to get a site approval from HHS. There are concerns with the distance from a couple other wells owned by the High School. Dane will make a case to HHS to pursue this location after gathering additional information from the School. The other issue with this site is: there is about a 40' area to work with for a building as well as a concern with the footings from the old water tower. Discussion was held regarding putting up a new building to house both pumping systems. Alternative piping was discussed from well #4. Bids will be taken for drilling the test well. Dane then updated the Council on the funding. The offer from the SRF (State Revolving Fund) is a 3% effective rate loan and 20% loan forgiveness off the principal. Dane wanted the Council to take some time and think about any of the other water related projects that were included in this scope. Ex: GIS Mapping or water main work anything else water system related can be applied to this funding offer. Fortune mentioned the water main replacement on 5th Street/Hwy 6 and asked what the monthly increase would be per user. Dane reported just the water main project would add about \$2.25 per user over 20 years. The combination of the new well and the water main project is an approximate increase of \$10.00 per user per month for a 20 year period. Dane will revise the scope of project and update the numbers accordingly. The funding offer is good until 2018 but we have to have our scope completed and hold the public hearing. In December JEO will be presenting to the Council a proposal for services for specifics on the test well.

Jonathan Jank was not present so the Council moved to the next agenda item.

Introduction and Adoption of Resolution – Trail Plan Funding: The resolution is part of the TAP application (Transportation Alternative Program) which was submitted October 30th for Phase I of the Master Trail Plan. Discussion was held at length regarding the commitment to the project and amount of matching funds the City would need to contribute as well as public participation with the trail fronting homeowner's property. Jonathan Jank arrived. Baker will verify with JEO if we can consider backing out of the grant process if we so choose or change the plan and just do a portion of Phase I. The Council decided to move forward with the application and Council member Baker introduced the following resolution:

RESOLUTION NO. 525

**LPA'S COMMITMENT TO TRANSPORTATION ALTERNATIVES PROGRAM
(TAP) PROJECT APPLICATION – FEDERAL-AID FUNDING**

Whereas: The City of Milford, NE (LPA) is proposing to develop and construct a project for which it would like to obtain Federal-aid Transportation Alternative Program (TAP) funding;

Whereas: The proposed project is briefly described as follows: Phase I of the Milford Master Trail Plan;

Whereas: LPA understands that its proposed project will be compared with other proposed LPA TAP projects and State will rank and select which projects will be eligible for funding;

Whereas: If LPA's project is selected, LPA commits to set aside in its budget a minimum of 20% of the estimated project cost and has the financial capacity to operate and maintain the completed facility in a safe, clean and attractive manner for public use;

Whereas: LPA understands that if any right-of-way is needed for this project, LPA will acquire such right-of-way in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act and LPA hereby commits to use condemnation to acquire property that cannot be acquired by contract;

Be It Resolved by the Council of the City of Milford, NE that:

This resolution, when signed by the Mayor/Chairperson, is LPA's commitment in the event LPA's project is selected by State, to fund LPA's share of the project, to develop the in accordance with all applicable Federal-aid and State requirements, and to, when necessary, acquire any right-of-way by condemnation when it cannot reasonably be acquired by contract..

Adopted this 3rd day of November, 2015 at Milford, Nebraska.

The Council of the City of Milford, NE;

Dean A. Bruha, Mayor
Jeff Baker, President of Council
Jeff Heckman
Rick Fortune
Dan Kral

Roll call vote: Baker yes, Fortune yes, Heckman yes, Kral yes. Motion carried.

CITY OF MILFORD, NE

Attest: _____
City Clerk

Mayor

(SEAL)

Introduction and Adoption of Resolution – Accept sealed bids for purchase of real property at 620 2nd St. (Former Lutheran Church Property): The following resolution was introduced by Council member Fortune:

RESOLUTION NUMBER 526

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA, a political subdivision and City of the Second Class:

WHEREAS, the City of Milford, Nebraska owns certain real property commonly known as the former Lutheran Church Property, and legally described as Lots 7,8 and the west 20 feet of Lot 9, Block 3, Original Town of Milford, Seward County, NE;

WHEREAS, the City of Milford, Nebraska desires to sell the above-described property to a buyer who will promote economic growth within the City of Milford, Nebraska; and

WHEREAS, Nebraska Revised Statute § 17-503 provides that the City of Milford, Nebraska must convey the above-described real property at public auction or by sealed bid;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA.

1. That sealed bids will be accepted for purchase of the real property commonly known as the former Lutheran Church Property, and legally described above, through November 27, 2015, and that the bidding period will officially end at 5:00 p.m. on November 27, 2015.

2. That the minimum price for a sealed bid shall be \$33,500.00.

3. That in order to be considered, any and all bids must be accompanied by a statement regarding the proposed use of the property after the sale, and a statement regarding the economic benefits to the City of Milford that would be derived from the proposed use.

4. That Jeanne Hoggins, as the duly appointed, qualified and acting City Clerk of the City of Milford, Nebraska, is hereby directed to accept sealed bids and to hold the same for consideration at the next open meeting of the City Council, or at a Special Meeting called for the consideration of the same if such a meeting is called.

Passed and adopted this 3rd day of November, 2015.

Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman absent.

Motion carried.

CITY OF MILFORD, NEBRASKA

Dean A. Bruha, Mayor

Attest: Jeanne Hoggins, City Clerk

(SEAL)

SCEDC Update-Jonathan Jank: Jonathan was thanked for providing Rice Krispie Treats! Jonathan thanked the Mayor and Council for their support of Economic Development especially thru our membership renewal and specifically to Jeff Baker, he was an excellent President and Leader representing Milford well. In regards to the membership campaign all 4 public sector members renewed with more than 40 private sector members as well. This increased the contributions to the largest we've had in three years. Hosted events and activities: Economic Development newsletter; Seward County Manufacturing Day hosted by Southeast Community College. An upcoming event sponsored by the University of NE – Lincoln Master of Business Administration Program is being held November 18, 2015. Jonathan also informed the Council that Milford was not selected for the DTR program. We will move forward with the Leadership Certification but the one thing that is needed from the City is a Capital Improvement Plan. The Mayor and Council agreed to move forward and put together a CIP. Discussion is being held regarding an assisted living facility. The preliminary report showed that Milford could support this type of facility. A work session will be held to move forward and a formal request will be made to the City. The Council thanked Jonathan for providing the report.

Amend Ordinance #871: Dog & Cat License Fees; collection of Municipal & State Fees: Council member Fortune introduced the following ordinance:

ORDINANCE NO. 902

AN ORDINANCE TO AMEND SECTION 6-101 OF THE MUNICIPAL CODE RELATING TO ANIMALS; TO RAISE THE STATE DOG LICENSE FEE; TO HARMONIZE WITH STATE LAW; TO REQUIRE THE LICENSING OF ALL CATS AND DOGS WITHIN 30 DAYS AFTER SAID DOG OR CAT IS ACQUIRED, OR WITHIN 30 DAYS OF SAID DOG OR CAT ATTAINS THE AGE OF FOUR MONTHS, WHICHEVER OCCURS LAST; TO REQUIRE THAT ALL DOGS AND CATS OVER THE AGE OF 4 MONTHS BE LICENSED EACH YEAR BETWEEN THE FIRST DAY OF FEBRUARY THROUGH THE 28TH DAY OF FEBRUARY; REQUIRING THE PAYMENT OF MUNICIPAL LICENSING FEES AND STATE LICENSING TAX; TO PROVIDE PENALTIES FOR VIOLATION OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND TO PRESCRIBED THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Request for funds from Community Betterment Committee-Extension of sidewalk @ Welch Park: Heckman reported that a culvert and sidewalk have been placed across from the Elementary Drive allowing access for handicapped individuals into Welch Park. The current walk ended in the grass and after consideration it was decided that the sidewalk should continue and connect to the existing concrete. A motion was made by Heckman and seconded by Kral to accept the bid from Concrete Works to extend the sidewalk as discussed in the amount of \$2200.00 using funds

from the Community Betterment Donation. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

Discuss/Action – Additional expense for light pole removal, sidewalk projects. NPPD resolved situation. No action needed.

Approval of Youth Basketball Coaches: A motion was made by Baker and seconded by Heckman to approve hiring Brett Kremer and Jared Stauffer as Youth Basketball coaches for the 2015-2016 program at \$8.00 per hour. Roll call vote: Baker yes, Heckman yes, Fortune yes, Kral yes. Motion carried.

ADJOURNMENT: A motion was made by Fortune and seconded by Kral to adjourn the meeting. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried and meeting adjourned at 9:09 pm.

Jeanne Hoggins, City Clerk

Dean A. Bruha, Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on November 3, 2015 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, City Clerk